

# **EXHIBIT 2**

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**NANCY A. MCCLURE-SOTO,**  
**Plaintiff**

**v.**

**BEXAR COUNTY, TEXAS,**  
**Defendant**

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**NO. 5:21-CV-00660 -JKP-HJB**

**AFFIDAVIT OF VERONICA GUEVARA**

THE STATE OF TEXAS     §

COUNTY OF BEXAR     §

BEFORE ME, the undersigned authority, on this date personally appeared VERONICA GUEVARA, who, after being duly sworn, deposed as follows:

“My name is Veronica Guevara, and I am over the age of eighteen (18) and of sound mind, and fully capable of making this affidavit. I am the Risk Management & Compliance Director for Bexar County. I have been employed by Bexar County since May of 2017. I was initially hired as Bexar County’s Risk Management Coordinator. Prior to my employment with Bexar County, I worked in the fields of risk management and/or claims handling for over 35 years. In prior positions, and as Risk Management Coordinator for Bexar County, I had supervisory responsibilities over employees who directly reported to me. Based upon my position with Bexar County, and my personal experiences and/or observations of Nancy McClure-Soto (“Nancy”), Tina Smith-Dean (“Tina”) and employees in the Budget and Finance Department, from May of 2017 until Nancy resigned in lieu of termination, I have personal knowledge of the facts stated herein and they are true and correct.

“In December of 2019, Tina Smith-Dean, Assistant County Manager, stated to me that because there had been a complaint against her, Nancy was now assigned to report to me, until the investigation was concluded. Tina did not offer any further information, to include any description about the complaint. Likewise, during the course of my supervision of Nancy, Tina did not question me about Nancy, nor did she suggest or direct me to take any action with regard to Nancy. The reassignment of Nancy to be under my supervision was the only change that occurred with regard to her employment. She remained in the same position, same title, same rank, same pay and benefits, and same work station.

“Just a short time after I assumed supervisory responsibilities for Nancy, she began to have inappropriate communications with Bexar County employees, vendors and County Commissioners about perceived slights, and/or changes in policies. Nancy should have first sought

resolution about these concerns with me, as her supervisor. While she did direct some emails to me, she also copied those emails to other employees and elected or appointed officials at the same time. The tone of these emails was argumentative and not conducive to good relationships and communication in the workplace. One example included multiple emails about restroom breaks and requesting clarification from the County Manager and/or the District Attorney regarding the County's policy is on "asking permission before being allowed to go to the restroom." In an effort to redirect the nature and tenor of Nancy's communications, I sought the counsel of the Human Resources Dept. and I presented a Notice of Disciplinary Action – Written Reprimand to Nancy on February 7, 2020 citing her email communications as constituting "conduct which is detrimental to or has an adverse effect to the office or department." In that Reprimand, I reminded Nancy that while her complaint was being investigated, she had the right to be free of unlawful behavior or retaliation, but that she was still under the obligation to follow Bexar County policies, including following her chain of command, and not engaging in inappropriate communications. A true and correct copy of those emails, and the Notice of Disciplinary Action – Written Reprimand are attached hereto as Exhibit A.

"The only time that I received any further contact from Tina about Nancy, was when Tina forwarded complaints in February, 2020, that she had received from employees in the Budget and Finance Department that Nancy had disrupted the work environment with conduct that they found oppressive and intimidating, including videotaping or photographing them. Tina did not suggest or instruct me how to handle those complaints – she merely forwarded them to me.

"I then reached out again to the attorneys in the Bexar County District Attorney's Office, Civil Division for guidance with regard to investigating those complaints, and the appropriate action to be taken while that investigation was ongoing. Based upon the initial statements received, and what I observed on a daily basis in that department, my perception was that the employees felt bullied and intimidated by Nancy. I was also concerned, given the fact that she had just 19 days earlier received a Reprimand, that Nancy's behavior was becoming more aggressive and inappropriate. My goal or hope as a supervisor is that the issuance of a Reprimand, causes the employee to look at the problem and take a step back to find the right track forward. This did not occur with Nancy.

"In discussions with ADA Kristin Bloodworth, the determination was made that the work environment was so unsettling that Nancy could not remain in the workplace during the investigation into her alleged conduct on February 26, 2020. With the guidance of ADA Bloodworth, Nancy was placed on Investigative Administrative Leave for 30 days. She received full pay and benefits during this time. A true and correct copy of that Notice of Investigative Administrative Leave signed by Nancy is attached hereto as Exhibit B.

"Ordinarily this investigation would have been concluded in 30 days or sooner, Covid 19 shut the world down. Many Bexar County employees began working from home, and much had to be purchased, reconfigured etc. to allow that to happen. Accordingly, the investigation was not able to be concluded within 30 days. Therefore Nancy was instructed to begin working from home at the end of her 30 day leave.

"The investigation was conducted by the Human Resources Dept. I did not participate in

that investigation. I was provided a copy of the findings of that investigation. All of the employees interviewed described the work environment as uncomfortable, intimidating and/or stressful due to Nancy's behavior and confrontation with colleagues. Human Resources examined the video recording of the work space on February 26, 2020, and determined that despite Nancy's denial that she had videotaped or photographed her fellow employees, she appeared to be videotaping them as they were arriving and departing the office that morning. Further, she appeared to be utilizing another employee's desktop to interface with Nancy's phone with regard to those images.

"After consultation with Human Resources and attorneys in the Bexar County District Attorney's Office, Civil Division, the recommendation was made that Nancy be terminated. I had no discussion with Tina, nor did I receive any suggestion or direction from Tina, as to what actions should be taken with regard to Nancy as a result of this investigation. Nancy was still working from home, as were most Bexar County office employees. I scheduled a meeting with her on June 9, 2020 and advised her that a recommendation had been made for her termination. Nancy was advised that she had the right to reply to this proposed action within ten (10) days from June 9, 2020.

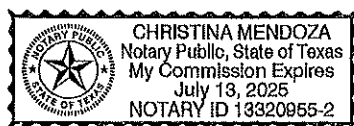
"On June 22, 2020, I received a notice from Nancy that she was retiring her position effective that date. On June 22, 2020, I prepared and sent Nancy an acknowledgement of my receipt of same. A true and correct copy of these documents are attached thereto as Exhibit C.

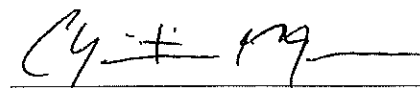
"Further Affiant sayeth not."

SIGNED this the 1st day of December, 2023.

  
VERONICA GUEVARA

Sworn to and subscribed before me on this the 1<sup>st</sup> day of December, 2023.



  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

# EXHIBIT A



# Notice of Disciplinary Action – Written Reprimand

Date: Friday, February 07, 2020  
To: Nancy McClure-Soto, Administrative Services Coordinator  
From: Veronica Guevara, Risk Management Coordinator  
Re: Notice of Disciplinary Action, Written Reprimand

Under the provision of Bexar County Civil Service Commission Rules and Regulations, Policy 7.6.10 Disciplinary Actions, you are hereby advised that this is a Written Reprimand. The Written Reprimand is being delivered to you for the following violations of the policy;

1. Conduct which is detrimental to or has an adverse effect on the office or department;

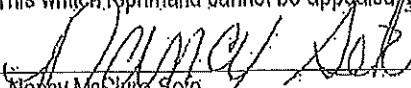
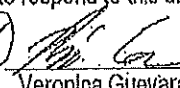
The specific reasons for this action:

In the past several days, you have sent a number of lengthy emails to various public officials throughout Bexar County documenting behaviors you believe to be retaliatory. You have directly contacted other Executive Directors within Bexar County and initiated inappropriate communications challenging the performance of their assigned duties. Specifically, you engaged the Facilities Management Executive Director over the control and direction of facility and maintenance issues within certain facilities in Bexar County in an insubordinate manner (for example, communicating in "all caps"). On Friday, January 31, 2020 at 1pm, you sent an email to me (attached) with a carbon copy to David Smith, the County Manager, Joe Gonzales, the District Attorney, and two Commissioners, Tommy Calvert and Justin Rodriguez.

Instead of being respectful and giving me the courtesy of discussing your concerns directly with me as your supervisor, you instead sent your complaints office-wide. Those concerns should have been communicated directly to me so that I might have the opportunity to address them with you directly. Thereafter, if you felt that your concerns were not addressed, you could bring them to the attention of senior management as necessary. Additionally, you have alleged that I am retaliating against you for the first time in an email for something though I am not aware of anything I have done to you which would constitute retaliation. You spent a considerable amount of work time to write the attached emails which contain inaccurate information. On Friday, January 31, 2020, I sent you an email to offer assistance without any pretext or motive. You then took my offer of assistance and disingenuously describe it as retaliation without any support. This type of behavior negatively impacts your ability to productively interact with other employees and strains the work environment.

I would remind you that you have been temporarily placed under my supervision as a result of complaints you previously made against your supervisor. You were placed under my supervision during the pendency of the workplace investigation which is currently still ongoing. Bexar County takes all employee complaints seriously and we promote a workplace which is free from unlawful behavior and any form of retaliation. As a complainant, you have the right to be free from unlawful behavior and retaliation. However, you may not engage in inappropriate communications with your superiors or other Bexar County employees. The attached emails reflect a less than professional approach to interactions with other Bexar County colleagues and are not indicative of the types of communications that promote cooperation and interoffice harmony. In the future, if you have a concern regarding your employment, please permit me the opportunity to address it with you directly prior to sending out mass emails to individuals who are not within your supervisory chain.

This written reprimand cannot be appealed, but you have the right to respond to this disciplinary action in writing to me in 10 days.

	2/7/20		2/7/2020
Nancy McClure-Soto	Date	Veronica Guevara	Date
Administrative Services Coordinator		Risk Management Coordinator	

cc: Bexar County Civil Service Commission

en: Email 01/31/2020, 1:00pm, from Nancy Soto, to Veronica Guevara, cc: David Smith, Justin Rodriguez, Tommy Calvert, Joe Gonzales

ETDC complaint Filed on 1/12/20.  
I feel this is another form of  
retaliation. Nancy Soto 2/7/20

BC 000065

**Guevara, Veronica**

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**From:** McCabe, Seth  
**Sent:** Friday, January 31, 2020 1:06 PM  
**To:** Guevara, Veronica  
**Subject:** FW: 9th Floor-PET-Front Desk Coverage 01/31/20  
**Attachments:** Front Desk Coverage

**Importance:** High

Since you are referenced,

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**From:** Soto, Nancy [REDACTED]  
**Sent:** Friday, January 31, 2020 12:02 PM  
**To:** McCabe, Seth <smccabe@bexar.org>  
**Cc:** Smith, David [REDACTED]; Rodriguez, Justin [REDACTED]; Calvert, Tommy [REDACTED]  
<tc@bexar.org>; Millan, Alexandria [REDACTED]; Gonzales, Joe D. [REDACTED]  
**Subject:** 9th Floor-PET-Front Desk Coverage 01/31/20  
**Importance:** High

Seth McCabe,

As you know, I am covering the 9<sup>th</sup> floor front desk today, Friday, January 31, 2020. My Office Assistant Olivia Espinosa is out sick. It has been common practice since we moved into this building, to ask one of my coworkers to "listen" or "cover" the front desk area when I need to run across the hall to use the restroom. To my knowledge, this has not changed. This morning around 10:30 am, I asked my coworker, Alexandria Millan, to cover for me so I could run across the hall. I was not gone more than 3-4 minutes. I was just informed, by Alexandria Millan, that after she returned to her office, she was approached by you. She said you told her "you do not need to sit up at the front because you do not report to Nancy". She said she informed you that she was only watching the desk so I could go to the restroom.

Yesterday, January 30, 2020, I was in a meeting. At 12:00, my Office Assistant, Olivia Espinosa, wanted to go to lunch. She told me she was approached by Veronica Guevara and by Tina Smith-Dean, who both offered to sit at the desk and cover for her until I got out of my meeting. When I came out of my meeting at 12:06, Tina Smith-Dean, Assistant County Manager, was sitting at the front desk providing coverage for Olivia Espinosa. I hardly think providing coverage for the front desk rises to the level of the Assistant County Manager, but either way, coverage was provided.

Subsequently, I received the attached email from Veronica Guevara, my temporarily assigned supervisor. For the first time ever, she is offering me coverage for the front desk even though she is in a meeting until 2:00 pm today. She also stated that I would need to notify the supervisor prior to asking for coverage for the front desk, which would naturally include restroom breaks. Since you are the supervisor of everyone on this floor, except me and Pearl Jauregui, are you suggesting that I should be asking your permission each time I need to go to the restroom? Is there a policy I am unaware of that employees need to request permission to go to the restroom, or does this only apply to me?

I have been covering the 9<sup>th</sup> floor front desk since we moved into this building. I routinely skip my lunches or eat at the front desk in order to avoid asking anyone for coverage. Everyone in this department, including Veronica Guevara, Tina Smith-Dean, and you, Seth McCabe, are aware of that and have never offered me any type of assistance or coverage.

It is quite unbelievable I am being forced to send out an email for such a petty issue but, since I am being presented with another form of retaliation, I am obligated to document it.

Clearly, this is simply another petty form of retaliation since I sent out an email to Tina Smith-Dean on December 5, 2019. Although Tina Smith-Dean stated that "the concerns expressed in your email are taken seriously and will not negatively impact your job or the relationships within our work environment", as expected, her response has proven to be false. At this point, I can't help but wonder when one of the stakeholders, which are being copied on my numerous emails, is finally going to step in and put a stop to this constant retaliation and discrimination.

I would appreciate clarification from County Manager, Mr. David Smith and/or District Attorney, Mr. Joe Gonzales, to let me know exactly what the County's Policy is on asking permission before being allowed to use the restroom.

cc. EEOC/Continued Retaliation/Discrimination

Nancy A. Soto  
Administrative Coordinator

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]



**Guevara, Veronica**

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**From:** Soto, Nancy  
**Sent:** Friday, January 31, 2020 1:00 PM  
**To:** Guevara, Veronica  
**Cc:** Smith, David; Rodriguez, Justin; Calvert, Tommy; Gonzales, Joe D.  
**Subject:** Front Desk Coverage-01-31-20 #2

Good afternoon Veronica,

It is 12:20 pm and I am sitting at the front desk eating my lunch as I do every time my Office Assistant is out for the day. I find it quite odd that you would, out of the blue, offer to provide me your assistance with coverage since you have seen me repeatedly eat lunch at the front desk since you began working in this department. I do find it quite coincidental however; that your email coincides with a conversation Seth McCabe just had with Alexandria Millan concerning her watching the front desk while I ran to the restroom. In his conversation with Alexandria, he stated "you do not need to sit at the front desk, you do not report to Nancy". Even though she was only covering, so I could go to the restroom.

I am certain you are aware of this because I have asked almost everyone in this department, at one time or another, to "cover while I step across the hall". You may have even covered for me once or twice. It is common practice and I am certain that Olivia Esparza, has done the same when I am out of the office. She has never mentioned to me that you or anyone has brought it to her attention that she should be asking a supervisor before doing so. As women, sometimes, there simply is not enough time to request permission before using the restroom.

Clearly, you are aware of the issues which are taking place in this office concerning myself and Assistant County Manager, Tina Smith-Dean. It is the very reason you were directed to be my temporary supervisor. Your direction to me to "make sure the supervisor is notified as a courtesy", would of course include restroom breaks. This would mean I would be required to contact Mr. Seth McCabe each time I need to use the restroom since everyone on the 9<sup>th</sup> floor reports directly to Seth, except me and Pearl. Unless, there is a county policy I am unaware of, this clearly is a violation of my rights as there is not a single other person, in particular, any woman, in this department which is required to do that.

I should note that it is now 12:53. You, along with your guests, had lunch delivered and have had an opportunity to eat your lunch in the conference room. You have passed by me on two (2) occasions while I am eating my lunch at the front desk and not offered to sit here and provide any sort of coverage.

This is simply another form of retaliation, being directed at me, since I sent out an email to Assistant County Manager, Tina M. Smith-Dean. As such, I feel compelled to document it for the investigation which is currently taking place and copy all stakeholders on this email.

Respectfully,

Nancy A. Soto  
Administrative Coordinator

[REDACTED]

[REDACTED]

cc. EEOC/Retaliation/Discrimination

From: Guevara, Veronica [REDACTED]  
Sent: Friday, January 31, 2020 11:08 AM  
To: Soto, Nancy [REDACTED]  
Subject: Front Desk Coverage

Good morning, Nancy:

I noticed that Olivia is not in today. If you need help covering the front desk by folks on the floor, please let me know or make sure his/her supervisor is notified or asked as a courtesy. I'm tied up until about 2 pm but am happy to cover up front as well.

Thank you,

Veronica Guevara  
Bexar County  
Risk Management Coordinator  
[REDACTED]  
[REDACTED]

Guevara, Veronica

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**From:** Soto, Nancy  
**Sent:** Monday, January 27, 2020 12:36 PM  
**To:** Curry, Dan  
**Cc:** Smith, David; Guevara, Veronica; Torralva, Jose; Ramirez, Hector; Rodriguez, Justin; Calvert, Tommy; Caballero, Francesca; Putney, Amy  
**Subject:** 2nd Response- Resource Management Facility Needs  
**Importance:** High

Good afternoon Dan,

My immediate supervisor, at this time, is Veronica Guevara. I have copied her on this email. As I mentioned in my email below, our internal office process is to have all Facility related issues funneled through our Administrative Team, of which I am responsible for. To my knowledge, this has not changed. Again, we are not adding any additional level of bureaucracy to your operation. Our internal process has never created any issues in the scheduling of any services, in fact, it has cut down on the number of people directly involved.

Up until your email, which I received on Friday, January 24, 2020, this has *NEVER* been an issue or even questioned. As you know, I have worked directly with the Facilities Staff for years and years. I am extremely confused as to why this would be an issue for you at this time as I have also worked directly with you Dan. Most recently on the renovations of the current County Gym Facility where I was directed by Tina Smith-Dean to meet regularly with you and your staff regarding the renovations which needed to be done prior to the opening. I have also worked directly with you to coordinate the yearly Employee Health Fair. This sudden concern about the way we have been operating internally for so many years is quite perplexing.

I would be happy to meet and discuss any issues which your department is having concerning our internal process as I am totally unaware of anything that has changed which has hindered your staff from conducting their work within our department.

Tina Smith-Dean would normally be the individual to make this type of major change concerning one of our internal policies and to one of my long standing job responsibilities. To my knowledge, she is not supposed to be making any decisions concerning my job duties. Veronica Guevara was only assigned as my temporary supervisor on December 5, 2019, pending the outcome of other issues which are currently being addressed within our department and therefore, she has limited knowledge of this issue and of my long standing job responsibilities. I believe a change, of this magnitude, which will change a long standing internal office policy and remove one of my larger job responsibilities rises to a higher. Therefore, as I mentioned in my first email response to you, I will await further instruction from County Manager, Mr. David Smith, to determine if he wants to remove this job duty from me and change the way we have been operating since I was hired in this department.

I have copied other stakeholders on this email as a means to document a much larger issue.

Respectfully,

Nancy A. Soto  
Administrative Coordinator

[REDACTED]  
[REDACTED]  
my file/job duties/retaliation

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From: Curry, Dan [REDACTED]  
Sent: Monday, January 27, 2020 11:20 AM  
To: Soto, Nancy [REDACTED]  
Subject: RE: 01-24-20- Resource Management Facility Needs

Nancy,  
Who is your immediate supervisor, I will take up this issue with them.

Thank You,

Dan Curry AIA,FMP  
Director  
Bexar County Facilities Management  
[REDACTED]

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From: Soto, Nancy  
Sent: Friday, January 24, 2020 5:37 PM  
To: Curry, Dan  
Cc: Smith, David; Torralva, Jose; Ramirez, Hector  
Subject: 01-24-20- Resource Management Facility Needs  
Importance: High

Dan,

Thank you for your email. I understand your concerns. It has been my job responsibility since I started in this department to oversee the day to day operations of our departments housekeeping, custodial services, repairs, etc. and to be the direct contact for our offices. This includes our office on the 9<sup>th</sup> floor of the Paul Elizondo Tower, the Human Resources Department, the Employee Clinic, and also the County Gym. This was designed to cut down on the number of people who are contacting your department to open work orders and to streamline the flow of work. To my knowledge this has not changed. I don't believe this process has ever created any issues in the scheduling of any services, in fact, it has cut down on the number of people directly involved.

The clinic is a unique area. As you know, we do not have access to their narcotics area. It has been a long standing practice for Facilities to contact me prior to scheduling any services which would require "after hours" work. I coordinate with UHS and Human Resources to get approval for Clinic Staff to stay after their normal scheduled hours and also to have the overtime salary approved. I have also made it a point to maintain a close relationship with the County's Housekeeping Services so I can address our department's needs without going directly through your department for every small issue. In the past, I was formerly introduced to the account managers which made this much easier. I was not given that same courtesy when this new company was hired.

I took it upon myself to meet and introduce myself to Mr. Guerra shortly after 4M took over the housekeeping contract. I did a walk-through of the Employee Clinic area to explain the specific needs of the clinic. I did this in anticipation of the floors at the clinic being cleaned to ensure there would be no confusion or delays.

My intent is not to add an additional level of bureaucracy to your operation as I am fully aware of the need for you and your team to be able to conduct your business without delay. I have always worked directly with your staff to facilitate their schedules along with the needs of this department. I am not aware of any time when your staff has had to wait or delay a job because of my availability. On the contrary, I have provided your staff with my personal cell number to be able to reach me at any time as to avoid any delays.

Since Tina Smith-Dean is no longer in my chain of command, I have copied Mr. David Smith, County Manager, on this email. It was David, through our Operations Manager Mr. John Diaz, who gave me this responsibility when I started working for this department almost 16 years ago. Until today, it has NEVER been a problem and I have not been made aware that anything has changed. I will await further instruction from Mr. Smith to determine if he wants to remove this job duty from me and change the way we have been operating since I was hired in this department. Until then, I would respectfully request that our normal process be allowed to continue as I am not aware of any issues which have presented a problem for the Facilities Staff. I am happy to discuss anything I can do to make this process smoother if needed.

Thank you for your understanding  
Respectfully,

Nancy A. Soto  
Administrative Coordinator

From: Curry, Dan  
Sent: Friday, January 24, 2020 4:52 PM  
To: Soto, Nancy  
Cc: Torralva, Jose; Ramirez, Hector; Smith-Dean, Tina  
Subject: FW: Report

Nancy,  
I appreciate your desire to help coordinate day to day operations within several spaces in our buildings. However, we simply do not have the staff, time, or resources to add an additional level of bureaucracy to our operation. I cannot have my staff rely on the schedule or availability of a single person to do their job. I am instructing my team to continue to coordinate schedules directly with the users in County buildings for events like this; floor care, custodial services, repairs, power shut downs, etc. My team is responsible for maintenance and facility issues at ALL buildings and spaces, that is why we are here. As always if you need assistance you can call x52608 and submit a work order.

Thank you in advance for your understanding.

Thank You,

Dan Curry AIA,FMP  
Director  
Bexar County Facilities Management  
[REDACTED]

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**From:** Soto, Nancy  
**Sent:** Wednesday, January 22, 2020 9:15 AM  
**To:** Garcia, Ponch  
**Cc:** Ramirez, Hector; Torralva, Jose  
**Subject:** RE: Report

Good Morning Ponch,

Since the Employee Clinic opened, it has been my job responsibility to oversee the facility and maintenance issues for the Clinic. I thought you and I had discussed in the past but perhaps I am mistaken. I also had a meeting with Mr. Guerra over a week ago. As I was not formerly introduced to him when his company originally took over the custodial contract, I thought it would be prudent to introduce myself and provide him with my contact information. We also did a walk-through of the Employee Clinic. I introduced him to the Clinic staff and we discussed our expectations. I informed him that I am responsible for the facility maintenance issues for our Employee Clinic. As such, he would need to coordinate directly with me anytime the clinic floors needed to be cleaned. It is mandatory that staff personnel from UHS be present at all times due to the narcotics which are stored in the clinic. In addition, I need to make sure we have approval from UHS for staff to stay late. In addition, the salary of that individual is approved prior to scheduling anything after hours. I also agree that the clinic floors are in need of cleaning along with a few other items I discussed with Mr. Guerra.

Mr. Guerra went directly to the clinic staff and scheduled the cleaning of the floors. I only found out about it yesterday at the end of the day. I did remind clinic staff that all requests such as these need to come to me before these types of decisions are made as it is my job responsibility.

Today, I am trying to confirm with UHS the approval of their staff to work after hours to facilitate the cleaning of the floors and I will also make sure the overtime payment of the employee is approved. As soon as I am able to confirm, I will let Hector.

I am also responsible for the maintenance and facility issues over in our Human Resources Department. Staff has been instructed to funnel all requests directly through me. I will reach out directly to Ana Bernal to determine exactly what issues Human Resources may be having in regards to the cleaning staff so I can address them also.

I would appreciate it if you would keep me in the loop on all facility/maintenance issues related to the Resource Management Department (9<sup>th</sup> Floor-PET, Human Resources, & Employee Clinic).

Thank you for reaching out to me Ponch and have a great day

Nancy A. Soto  
Administrative Coordinator  
[REDACTED]  
[REDACTED]  
[REDACTED]

From: Garcia, Ponch [REDACTED]  
Sent: Wednesday, January 22, 2020 8:51 AM  
To: Soto, Nancy [REDACTED]  
Cc: Ramirez, Hector [REDACTED]; Torralva, Jose [REDACTED]  
Subject: FW: Report

Nancy,

A walk-thru of the entire building was conducted with the 4M Contract Manager last Thursday. I took the opportunity to introduce the Contract Manager to Ana Bernal, HR Manager. 4M will be working towards addressing the some of the issues presented by Ana in regard to cleaning services and staff.

During the walk-thru - 4M noted that the floors required attention and I agree. The floors look horrible.

I asked 4M to coordinate with the Maintenance Team to schedule the cleaning of the floors at the earliest opportunity.

Please let me know if you have any questions.

Thank you

Ponch

*Baldemar "Ponch" Garcia, MBA, FMP  
Contract & Compliance Manager  
Bexar County Facilities Management Department*

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From: Ramirez, Hector [REDACTED]  
Sent: Tuesday, January 21, 2020 3:36 PM  
To: Soto, Nancy [REDACTED]  
Cc: Gutierrez, Carmen [REDACTED]  
Subject: FW: Report

Nancy,  
Making sure you were informed of this proposed schedule to strip and wax in the clinic.

Hector E Ramirez  
Supervisor  
Bexar County Facilities Management  
[REDACTED]

[REDACTED]

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**From:** García, Ponch  
**Sent:** Tuesday, January 21, 2020 2:26 PM  
**To:** 'Paul Guerra'  
**Cc:** Ramirez, Hector; Gutierrez, Carmen; Garza, Alexandria  
**Subject:** RE: Report

Please reach out to maintenance team so they can inform stakeholders.

Thank you

Ponch

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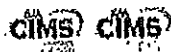
**From:** Paul Guerra [REDACTED]  
**Sent:** Tuesday, January 21, 2020 2:10 PM  
**To:** García, Ponch  
**Subject:** Report

Ponch,

Forgot to put the clinic, the floor is scheduled to be stripped and waxed this Friday 01/24/2020.

Have a Safe and Great Day!

Paul Guerra  
*Account Manager*





# EXHIBIT B



February 26, 2020

To: Nancy Soto

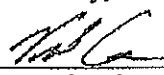
Subject: Notice of Investigative Administrative Leave

Effective February 26, 2020, you are being placed on Investigative Administrative Leave with pay for a period of up to thirty (30) business days pursuant to Bexar County Human Resources Policy 7.4.04 Administrative Leave and Bexar County Civil Service Commission Rules, Policy 7.6.11 Investigative Administrative Leave.

During the period you are on Investigative Administrative Leave you are required to call in each morning at 8:30 a.m. to Veronica Guevara [REDACTED] if she is unavailable please leave a message. During this period you must be available for telephone communication between the hours of 8:00 a.m. through 5:00 p.m., Monday through Friday. In addition, you must be available to report, in person, to Administration if necessary to participate in the investigation or respond to work inquiries. Being unresponsive or unavailable during your regularly scheduled hours may result in additional disciplinary action up to and including termination. You are not permitted to work a second job during your regular schedule while you are on Investigative Leave pursuant to Bexar County Civil Service Commission Rule 7.6.11, Sec. (e).

Be advised that until further notice, access to all areas of the Bexar County Resource Management Office is strictly prohibited. Access to the building for administrative purposes must be authorized in advance by contacting Veronica Guevara.

Sincerely,

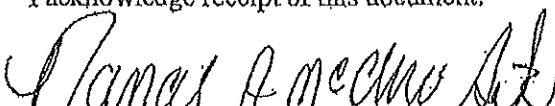
  
Veronica Guevara  
Risk Management Coordinator

2.26.2020

Date

cc: Bexar County Civil Service Commission

I acknowledge receipt of this document:

  
Employee Signature

2/26/20  
Date Received



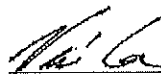
**EXHIBIT A:**

**EMPLOYEE'S DUTY TO PRESERVE INFORMATION**

Under the Texas Public Information Act, as a Bexar County employee, you are the custodian of any records related to your work with Bexar County or any information that constitutes the transaction of official business. You have a legal duty to preserve that information. This includes information contained in any personal electronic devices such as cell phones, tablets, or personal computers, which are subject to the Act if those devices contain work-related information. This duty to preserve covers communication such as texts, tweets, emails, notes, and pictures.

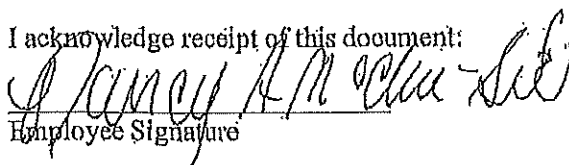
Through this notice you are directed to maintain all videos, photographs, and records created by you or in your possession which constitutes the transaction of official business or in any way relates to your employment with Bexar County. DOCUMENTATION DESTRUCTION: IT IS REQUESTED THAT ALL DOCUMENTS, VIDEOS, PHOTOGRAPHS, AND/OR OTHER DATA COMPIATIONS WHICH MIGHT IMPACT THE SUBJECT MATTER OF THIS INVESTIGATION BE PRESEVED AND THAT ANY ONGOING PROCESS OF DOCUMENT DESTRUCTION INVOLVING SUCH DOCUMENTATION CEASE. If any document, image, or data required herein has previously been destroyed, you are requested to describe in detail the circumstances of and reasons for such destruction and to produce all documents which relate to either the circumstances or the reasons for such destruction.

Sincerely,

  
Veronica Guevara  
Risk Management Coordinator

2.26.2020  
Date.

I acknowledge receipt of this document:

  
Employee Signature

2/26/20  
Date Received

# EXHIBIT C

COPY

June 22, 2020

I am retiring my position with Bexar County effective today.

Nancy A McChune - Adm  
6/22/20

EE# 16136

Laptop with the service tag CH0X7S2 was loaned to Nancy Soto and has been returned to Bexar County along with the charging cable. She has no other county property. ID's and keys were already turned in.

*Laptop & charge turned in*

*[Signature]*

Received by: (signature)

**COPY**

6-22-20

Date

BEXAR



COUNTY

Resources Management  
Management & Finance

Monday, June 22, 2020

Nancy A. McClure-Solo

COPY

- \* Bexar County is in receipt of the attached notice reflecting Monday, June 22, 2020 as your retirement.
- \* Your retirement is accepted, and will be recorded with Bexar County as a retirement the close of business, Monday, June 22, 2020.

In Service,

Veronica Guevara  
Risk Management Coordinator

En: Retirement Notice, delivered to Human Resources 9:04 am, 06/22/20